

Official Journal

of the European Communities

ISSN 0378-6978

L 216

Volume 34

3 August 1991

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 2356/91 of 29 July 1991 amending for the second time Regulation (EEC) No 2392/89 laying down general rules for the description and presentation of sparkling wines and grape musts** 1
- ★ **Council Regulation (EEC) No 2357/91 of 29 July 1991 amending for the fifth time Regulation (EEC) No 3309/85 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines** 2
- ★ **Council Regulation (EEC) No 2358/91 of 29 July 1991 opening and providing for the administration of a Community tariff quota for herring, fresh or chilled, originating in Sweden** 3
- Commission Regulation (EEC) No 2359/91 of 2 August 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal 5
- Commission Regulation (EEC) No 2360/91 of 2 August 1991 fixing the premiums to be added to the import levies on cereals, flour and malt 7
- Commission Regulation (EEC) No 2361/91 of 29 July 1991 on the supply of various lots of skimmed-milk powder as food aid 9
- Commission Regulation (EEC) No 2362/91 of 29 July 1991 on the supply of various lots of butteroil as food aid 13
- ★ **Commission Regulation (EEC) No 2363/91 of 2 August 1991 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union and amending Regulation (EEC) No 569/88** 17

Contents (continued)

* Commission Regulation (EEC) No 2364/91 of 2 August 1991 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of boneless beef held by certain intervention agencies and intended for export, amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 1786/91	20
* Commission Regulation (EEC) No 2365/91 of 31 July 1991 laying down the conditions for use of the ATA carnet for the temporary importation of goods into the customs territory of the Community or their temporary exportation from that territory	24
* Commission Regulation (EEC) No 2366/91 of 2 August 1991 concerning the stopping of fishing for cod by vessels flying the flag of Spain	32
Commission Regulation (EEC) No 2367/91 of 2 August 1991 amending Regulations (EEC) No 1147/91, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1154/91, (EEC) No 1201/91, (EEC) No 1202/91, (EEC) No 1203/91, (EEC) No 1204/91 and (EEC) No 1205/91 opening standing invitations to tender for the export of cereals held by the intervention agencies	33
* Commission Regulation (EEC) No 2368/91 of 2 August 1991 amending Regulation (EEC) No 3310/86 on the Community recording of market prices on the basis of the scale for the classification of carcasses of adult bovine animals	35
* Commission Regulation (EEC) No 2369/91 of 2 August 1991 amending Regulation (EEC) No 859/89 laying down detailed rules for the application of intervention measures in the beef and veal sector and Regulation (EEC) No 1688/91 derogating from the provisions on the deadline for the submission of tenders laid down in Regulation (EEC) No 859/89	36
Commission Regulation (EEC) No 2370/91 of 2 August 1991 fixing the aid for soya beans	37
Commission Regulation (EEC) No 2371/91 of 2 August 1991 fixing the import levies on white sugar and raw sugar	38

Corrigenda

* Corrigendum to Council Regulation (EEC) No 3610/90 of 11 December 1990 opening and providing for the administration of Community tariff quotas for certain agricultural, chemical and industrial products (1991) (OJ No L 351 of 15.12.1990)	40
* Corrigendum to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries (OJ No L 370 of 31.12.1990)	40
* Corrigendum to Commission Regulation (EEC) No 2263/91 of 26 July 1991 laying down detailed rules of the application of Council Regulation (EEC) No 598/91 as regards the supply of whole-milk powder intended for the people of the Soviet Union (OJ No L 208 of 30.7.1991)	40

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2356/91**of 29 July 1991****amending for the second time Regulation (EEC) No 2392/89 laying down general rules for the description and presentation of sparkling wines and grape musts**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 72 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the general rules for the description and presentation of wines and grape musts are drawn up in Regulation (EEC) No 2392/89 ⁽³⁾, as last amended by Regulation (EEC) No 3886/89 ⁽⁴⁾,

Whereas the use of capsules containing lead to cover the closing devices of containers in which wines or grape musts are marketed should be banned, firstly in order to avoid any risk of contamination in particular by accidental contact with those products, and secondly to avoid any risk of environmental pollution from waste containing lead from the aforementioned capsules; whereas,

however, to allow the manufacturers and users of these capsules a period to adjust, this ban should be applied from 1 January 1993,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be added to Article 37 (1) of Regulation (EEC) No 2392/89:

'(e) have a closing device which is not covered with a capsule containing lead.'

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*.

It shall apply as from 1 January 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 July 1991.

For the Council

The President

H. VAN DEN BROEK

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 232, 9. 8. 1989, p. 13.

⁽⁴⁾ OJ No L 378, 27. 12. 1989, p. 12.

COUNCIL REGULATION (EEC) No 2357/91

of 29 July 1991

amending for the fifth time Regulation (EEC) No 3309/85 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 72 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the general rules for the description and presentation of sparkling wines and aerated sparkling wines are drawn up in Regulation (EEC) No 3309/85 ⁽³⁾, as last amended by Regulation (EEC) No 2045/89 ⁽⁴⁾,

Whereas the use of capsules or foils containing lead to cover the closing devices of containers in which sparkling wines are marketed should be banned, firstly in order to avoid any risk of contamination in particular by accidental contact with those products, and secondly to avoid any risk of environmental pollution from waste containing ing lead from the aforementioned capsules; whereas,

however, to allow the manufacturers and users of these capsules a period to adjust, this ban should be applied only from 1 January 1993,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be inserted in Article 10 (1) of Regulation (EEC) No 3309/85 as a second subparagraph:

'The closing device referred to in the first and second indents of point (a) of the first subparagraph may not be covered by a capsule or foil containing lead.'

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*.

It shall apply as from 1 January 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 July 1991.

For the Council

The President

H. VAN DEN BROEK

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 320, 29. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 202, 14. 7. 1989, p. 12.

COUNCIL REGULATION (EEC) No 2358/91

of 29 July 1991

opening and providing for the administration of a Community tariff quota for
herring, fresh or chilled, originating in Sweden

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to the proposal from the Commission,

Whereas an Agreement between the European Economic Community and the Kingdom of Sweden was concluded on 22 July 1972; whereas, following the accession of Spain and Portugal, an Agreement in the form of an Exchange of Letters was concluded between the European Economic Community and the Kingdom of Sweden on the agricultural and fisheries sector; whereas this Agreement was adopted by Decision 86/558/EEC⁽¹⁾;

Whereas this Agreement provides for the opening, over a period to be determined by common accord, of a 20 000 tonne duty-free Community tariff quota for herring, fresh or chilled, whole, headless or in pieces, originating in Sweden; whereas, therefore, the tariff quota in question should be opened for the period 1 September 1991 to 14 February 1992;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of

levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, it is appropriate to take the necessary measures to ensure efficient Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of this quota may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 September 1991 to 14 February 1992 the Common Customs Tariff duty on the following products shall be suspended at the level and within the time limit of the Community tariff quota as shown herewith:

Order No	CN code (¹)	Description	Amount of quota (in tonnes)	Quota duty (%)
09.0615	ex 0302 40 90 ex 0304 10 93 ex 0304 10 98	Herring and meat of herring, fresh or chilled, originating in Sweden	20 000	0 (²)

(¹) Taric codes: ex 0302 40 90 * 20, ex 0304 10 93 * 20, ex 0304 10 98 * 16.

(²) However, within the limits of this quota, Portugal shall benefit from a reduced duty of 3,8 % in 1991 and 1,9 % in 1992.

2. Imports of the products in question shall not benefit from the tariff quotas referred to in paragraph 1 unless the free-at-frontier prices, which are determined by the Member States according to Article 21 of Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽³⁾, as last amended by Regulation (EEC) No 2886/89⁽³⁾, are at least equal to the reference prices if such prices have been fixed or are to be fixed by the Community for the product under consideration or the levy of the products concerned. For the calculation of the

reference price, the following coefficients shall be applicable:

- whole herring: 1,
- flaps of herring: 2,32,
- pieces of herring: 1,96.

3. The Protocol on the definition of the concept of originating products and on methods of administrative cooperating, annexed to the Agreement between the European Economic Community and Sweden, shall be applicable.

(¹) OJ No L 328, 22. 11. 1986, p. 89.

(²) OJ No L 379, 31. 12. 1981, p. 1.

(³) OJ No L 282, 2. 10. 1989, p. 1.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

If an importer presents, in a Member State, a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation and if this declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the quota amount.

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the quota amount.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a *pro rata* basis with respect to the requests. Member States shall be informed by the Commission thereof.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quota for such time as the residual balance of the quota volume so permits.

Article 5

Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 September 1992.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 July 1991.

For the Council

The President

H. VAN DEN BROEK

COMMISSION REGULATION (EEC) No 2359/91

of 2 August 1991

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1844/91⁽⁵⁾, and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 1 August 1991;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1844/91 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 August 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 1.

ANNEX

to the Commission Regulation of 2 August 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	124,40 ⁽²⁾ ⁽³⁾
0712 90 19	124,40 ⁽²⁾ ⁽³⁾
1001 10 10	168,20 ⁽¹⁾ ⁽³⁾
1001 10 90	168,20 ⁽¹⁾ ⁽³⁾
1001 90 91	156,12
1001 90 99	156,12
1002 00 00	137,91 ⁽⁶⁾
1003 00 10	140,88
1003 00 90	140,88
1004 00 10	114,00
1004 00 90	114,00
1005 10 90	124,40 ⁽²⁾ ⁽³⁾
1005 90 00	124,40 ⁽²⁾ ⁽³⁾
1007 00 90	136,60 ⁽⁴⁾
1008 10 00	49,76
1008 20 00	116,36 ⁽⁴⁾
1008 30 00	30,91 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	30,91
1101 00 00	231,57 ⁽⁸⁾
1102 10 00	206,08 ⁽⁸⁾
1103 11 10	273,77 ⁽⁸⁾
1103 11 90	249,93 ⁽⁸⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

COMMISSION REGULATION (EEC) No 2360/91

of 2 August 1991

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1845/91⁽⁵⁾ and subsequent amending Regulation;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 1 August 1991;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 August 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 4.

ANNEX

to the Commission Regulation of 2 August 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0,37	0,37	0
0712 90 19	0	0,37	0,37	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	19,34	19,34	19,32
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0,37	0,37	0
1005 90 00	0	0,37	0,37	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	7,43
1008 90 90	0	0	0	7,43
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2361/91

of 29 July 1991

on the supply of various lots of skimmed-milk powder as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain beneficiary organizations 3 661 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A, B, C, D, E, F, G and H

1. **Operation Nos 1423 to 1430/90** ⁽¹⁾
2. **Programme** : 1989 (150 tonnes) + 1990
3. **Recipient** : People's Republic of China
4. **Representative of the recipient** ⁽³⁾ ^(*) : Ministry of Agriculture, Dairy Development Project Office, 11 — Nong Zhan Guang, Nanli, Beijing 100026, People's Republic of China (telex : 22233 MAGR CN)
5. **Place or country of destination** : People's Republic of China
6. **Product to be mobilized** : Skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ^(*) :
(See OJ No C 114, 29. 4. 1991, p. 1, A.1.)
8. **Total quantity** : 3 661 tonnes
9. **Number of lots** : 8 ⁽¹⁰⁾
10. **Packaging and marking** : 25 kg ⁽⁷⁾ ^(*)
OJ No C 114, 29. 4. 1991, p. 1-3 (A2-A3)
Markings in English (in letters at least 2,5 cm high)
Supplementary markings on the packaging :
'EEC DAIRY DEVELOPMENT PROJECT / 4. SHIPMENT / 14 CITIES / FOR RECOMBINATION'
11. **Method of mobilization** : the Community market
The skimmed-milk powder must be manufactured after the award of the tender
12. **Stage of supply** : free at destination
13. **Port of shipment** : —
14. **Port of landing specified by the recipient** : —
15. **Port of landing** : —
16. **Address of the warehouse and, if appropriate, port of landing** : ⁽¹⁰⁾
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage** : 16. — 27. 9. 1991
18. **Deadline for the supply** :

1423/90	}	1427/90	}	8. 11. 1991
1424/90		1428/90		
1425/90		1429/90		
1426/90				
1430/90				

1. 11. 1991
19. **Procedure for determining the costs of supply** : invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ^(*) : 12 noon on 26. 8. 1991
21. **A. In the case of a second invitation to tender** :
 - (a) **deadline for the submission of tenders** : 12 noon on 9. 9. 1991
 - (b) **period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage** : 30. 9. — 11. 10. 1991
 - (c) **deadline for the supply** :

1423/90	}	1427/90	}	22. 11. 1991
1424/90		1428/90		
1425/90		1429/90		
1426/90				
1430/90				

15. 11. 1991

B. In the case of a third invitation to tender :

- (a) deadline for the submission of tenders : 12 noon on 23. 9. 1991
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 14. — 25. 10. 1991
- (c) deadline for the supply :

1423/90	} 29. 11. 1991	1427/90	} 6. 12. 1991
1424/90		1428/90	
1425/90		1429/90	
1426/90			
1430/90			

22. Amount of the tendering security : ECU 20 per tonne

23. Amount of the delivery security : 10 % of the amount of the tender in ecus

24. Address for submission of tenders : Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles ; telex 22037 AGREC B or 25670 AGREC B

25. Refund payable on request by the successful tenderer (?) : refund applicable on 12. 7. 1991, fixed by Commission Regulation (EEC) No 2031/91 (OJ No L 186 of 12. 7. 1991, p. 11).

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- Radioactivity analysis must indicate caesium -134 and -137 levels.
- (³) Commission delegate to be contacted by the successful tenderer: EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing; tel. 532 44 43, telex 222690 ECDEL CN, telefax 532 43 42.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- by porter at the office referred to in point 24 of this Annex, or
 - by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁷) The bags must be placed in 20-foot containers.
- The free holding period for containers must be at least 15 days.
- (⁸) New, dry and intact packaging of a net content of 25 kilograms made up as follows: (combination of requirements in I (b) and (c) of Annex II to Commission Regulation (EEC) No 625/78 (OJ No L 84, 31. 3. 1978, p. 19)):
- one kraft paper bag of a strength of at least 70 g/m²,
 - one kraft paper bag with a polyethylene lining, of a strength of at least 80 + 15 g/m²,
 - three kraft bags of a strength of at least 70 g/m²,
 - one polythylene inner bag at least 0,12 mm thick, welded or double bond.
- (⁹) The successful tenderer must nominate a representative at the port of landing. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the China National Import and Export Inspection Corporation (CCIC), cable CHINSPECT, telex 210076 SACI CN.

CCIC may be designated as representative by the successful tenderer.

(¹⁰) Operation No	Quantities (in tonnes)	Port of landing	Destination / Address of the warehouse
1423/90 1424/90	350 352 (a)	Xinfeng (Guangzhou)	No 2 Dairy Plant, Panlonggang, Shahe, Guangzhou
1425/90 1426/90	500 497 (b)	Shanghai	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixingjing
1427/90 1428/90	500 450	Xingang (Tianjin)	Refrigeration Plant, Dairy Company — Xingfudao Jiakou, Hongxing Road, Hebei District
1429/90	680 (c)	Dalian	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang
1430/90	332 (d)	Fuzhou	Kangie Dairy Plant, Wuliting Fuma Road

(a) in two parts: A — 285 tonnes; B — 67 tonnes;

(b) in three parts: A — 325 tonnes; B — 58 tonnes; C — 114 tonnes

(c) in two parts: A — 500 tonnes; B — 180 tonnes;

(d) in two parts: A — 57 tonnes; B — 275 tonnes.

COMMISSION REGULATION (EEC) No 2362/91
of 29 July 1991
on the supply of various lots of butteroil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 1 220 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in this tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A, B, C, D, E, F, G, and H

1. **Operations Nos** ⁽¹⁾: 1431/90 — 1438/90
2. **Programme**: 1989 (50 tonnes) + 1990
3. **Recipient**: People's Republic of China
4. **Representative of the recipient** ⁽²⁾ ^(*): Ministry of Agriculture, Dairy Development Project Office, 11 — Nong Zhan Guang, Nanli, Beijing 100026, República Popular de China, (telex: 22233 MAGR CN)
5. **Place or country of destination**: People's Republic of China
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods**: ⁽²⁾ ^(*) ^(*):
See OJ No C 114, 29. 4. 1991, p. 6 (under E 1)
8. **Total quantity**: 1 220 tonnes
9. **Number of lots** ⁽¹⁾: 8
10. **Packaging and marking** ⁽²⁾ ⁽¹⁰⁾: 200 kg
OJ No C 114, 29. 4. 1991, p. 7 (under E 1), p. 8 (under E 3)
Markings in English (in letters at least 2,5 cm high)
Supplementary markings on the packaging:
'EEC DAIRY DEVELOPMENT PROJECT / 4. SHIPMENT / 14 CITIES / FOR RECOMBINATION'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**:
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: See ⁽¹⁾
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 23. 9 — 4. 10. 1991.
18. **Deadline for the supply**:

1431/90 1432/90 1433/90 1434/90 1438/90	}	8. 11. 1991	}	1435/90 1436/90 1437/90	}	15. 11. 1991
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19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽²⁾: 12 noon on 19. 8. 1991
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 2. 9. 1991;
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 7. 10 — 18. 10. 1991
 - (c) **deadline for the supply**:

1431/90 1432/90 1433/90 1434/90 1438/90	}	22. 11. 1991	}	1435/90 1436/90 1437/90	}	29. 11. 1991
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B. In the case of a third invitation to tender :

- (a) deadline for the submission of tenders : 12 noon on 16. 9. 1991
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 21. 10 — 31. 10. 1991
- (c) deadline for the supply :

1431/90	}	6. 12. 1991	1435/90	}	13. 12. 1991
1432/90			1436/90		
1433/90			1437/90		
1434/90					
1438/90					

- 22. **Amount of the tendering security :** ECU 20 per tonne
- 23. **Amount of the delivery security :** 10 % of the tender in ecus
- 24. **Address for submission of tenders :** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, rue de la Loi, 200, B-1049 Bruxelles (telex : AGREC 22037 B or 25670 AGREC B)
- 25. **Refund payable on request by the successful tenderer (°) :** refund applicable 12. 7. 1991, fixed by Commission Regulation (EEC) No 2031/91 (OJ No L 186, 12. 7. 1991, p. 11)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (³) Radioactivity analysis must indicate caesium-134 and -137 levels.
- (⁴) In order to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
 - 236 33 04.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁷) Commission delegate to be contacted by the successful tenderer: EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing; tel. 532 44 43, telex 222690 ECDEL CN, telefax 532 43 42.
- (⁸) The successful tenderer must nominate a representative at the port of landing. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the China National Import and Export Inspection Corporation (CCIC), cable Chinspect, telex 210076 SACI CN.
- (⁹) In 20-foot containers.
- The free holding period for containers must be at least 15 days.
- (¹⁰) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.

(¹¹) Operation No	Quantities (in tonnes)	Port of landing	Destination / Address of the warehouse
1431/90 1432/90	117 117 (a)	Xinfeng (Guangzhou)	No 2 Dairy Plant, Panlonggang, Shahe, Guangzhou
1433/90 1434/90	167 165 (b)	Shanghai	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixingjing
1435/90 1436/90	167 150	Xingang (Tianjin)	Refrigeration Plant, Dairy Company — Xingfudao Jiaokou, Hongxing Road, Hebei District
1437/90	227 (c)	Dalian	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang
1438/90	110 (d)	Fuzhou	Kangle Dairy Plant, Wuliting Fuma Road

(a) two parts: A — 95 tonnes; B — 22 tonnes.

(b) three parts: A — 108 tonnes; B — 19 tonnes; C — 38 tonnes.

(c) two parts: A — 167 tonnes; B — 60 tonnes.

(d) two parts: A — 19 tonnes; B — 91 tonnes.

COMMISSION REGULATION (EEC) No 2363/91

of 2 August 1991

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union and amending Regulation (EEC) No 569/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as amended by Regulation (EEC) No 1809/87 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold large stocks of intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas in view of the supply needs in the Soviet Union part of that meat should be put up for sale in accordance with Regulations (EEC) No 2539/84;

Whereas, in view of the urgency and the specific nature of the operation and of the need for controls, special detailed rules must be laid down in particular as regards the minimum quantity which may be purchased;

Whereas quarters from intervention stocks may in certain cases have been handled a number of times; whereas, in order to help with the presentation and marketing of such meat, its repackaging should be authorized, subject to the observance of precise conditions;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article 5 (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on

special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽⁵⁾, as last amended by Regulation (EEC) No 815/91 ⁽⁶⁾;

Whereas in order to ensure that beef sold is exported to the intended destination, the lodging of security, as specified in Article 5 (2) (a) of Regulation (EEC) No 2539/84, should be required;

Whereas products held by intervention agencies and intended for export are subject to the provision of Commission Regulation (EEC) No 569/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 2351/91 ⁽⁸⁾; whereas the Annex to the said Regulation setting out the entries to be made should be expanded;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. A sale shall be organized of approximately 40 000 tonnes of bone-in beef held by the French intervention agency and bought in before 1 July 1991;

2. This meat must be imported into the Soviet Union.

3. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulation (EEC) No 2539/84.

The provisions of Commission Regulation (EEC) No 985/81 ⁽⁹⁾ shall not apply to this sale. However, the competent authorities may allow bone-in forequarters and hindquarters the packaging material of which is torn or soiled, to be placed in new packaging of the same type under their supervision before presentation for consignment at the customs office of departure.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 83, 3. 4. 1991, p. 6.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁸⁾ OJ No L 214, 2. 8. 1991, p. 51.

⁽⁹⁾ OJ No L 99, 10. 4. 1981, p. 38.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. An offer shall be valid only if:

- it relates to a total minimum quantity of 10 000 tonnes expressed in product weight,
- it relates to an equal weight of forequarters and hind-quarters and shall contain a single price per tonne expressed in ecus for the whole quantity specified in the offer,

6. Immediately after submitting tenders or purchase applications the operator shall send a copy thereof to the Commission of the European Communities, Division VI/D.2, 130 rue de la Loi, B-1049 Bruxelles (telex 220 37 b Agrec).

7. Intervention agencies shall only conclude selling contracts upon verification, in collaboration with the Commission's services, that the conditions referred to in paragraphs 5 and 6 have been met.

8. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 7 August 1991.

9. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the address given in Annex II.

Article 2

1. Notwithstanding Article 6 of Regulation (EEC) No 2539/84, the time limit for taking over meat as defined in that Article shall be increased to three months.

2. The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms of bone-in beef.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be ECU 300 per 100 kilograms of bone-in beef.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

Article 4

In respect of meat sold under this Regulation no export refund shall be granted.

In the removal order referred to in Article 3 of Regulation (EEC) No 569/88, the export declaration, and, where appropriate, the T 5 control copy shall be entered:

'Sin restitución [Reglamento (CEE) n° 2363/91];

Uden restitution [Forordning (EØF) nr. 2363/91];

Keine Erstattung [Verordnung (EWG) Nr. 2363/91];

χωρίς επιστροφή [κανονισμός (ΕΟΚ) αριθ. 2363/91];

Without refund [Regulation (EEC) No 2363/91];

Sans restitution [Règlement (CEE) n° 2363/91];

Senza restituzione [Regolamento (CEE) n. 2363/91];

Zonder restitutie [Verordening (EEG) nr. 2363/91];

Sem restituição [Regulamento (CEE) n° 2363/91].'

Article 5

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock' the following item and footnote are added:

'100 Commission Regulation (EEC) No 2363/91 of 2 August 1991 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union ⁽¹⁰⁰⁾.

⁽¹⁰⁰⁾ OJ No L 216, 3. 8. 1991, p. 17.'

Article 6

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada Mindstepriser i ECU/ton Mindestpreise, ausgedrückt in ECU/Tonne Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu ανά τόνο Minimum prices expressed in ecus per tonne Prix minimaux exprimés en écus par tonne Prezzi minimi espressi in ecu per tonnellata Minimumprijzen uitgedrukt in ecu per ton Preço mínimo expresso em ecus por tonelada
FRANCE	— Quartiers avant, provenant de : Catégorie A/C	20 000	485
	— Quartiers arrière, provenant de : Catégorie A/C	20 000	485

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Dirección del organismo de intervención — Interventionsorganets adresse — Anschrift der Interventionsstelle — Διευθύνσεις των οργανισμών παρεμβάσεως — Address of the intervention agency — Adresse de l'organisme d'intervention — Indirizzo dell'organismo d'intervento — Adres van het interventiebureau — Endereço do organismo de intervenção

FRANCE : OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
(tél. : 45 38 84 00 ; télex : 20 54 76)

COMMISSION REGULATION (EEC) No 2364/91

of 2 August 1991

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of boneless beef held by certain intervention agencies and intended for export, amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 1786/91

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as amended by Regulation (EEC) No 1809/87 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas Commission Regulation (EEC) No 2824/85 of 9 October 1985 laying down detailed rules for the sale of frozen boned beef from intervention stocks for export, either in the same state or after cutting and/or repackaging ⁽⁵⁾ has provided for repackaging under certain conditions;

Whereas certain intervention agencies hold large stocks of boneless intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas, as there are outlets in certain third countries for the products concerned, part of that meat should be put up for sale in accordance with Regulations (EEC) No 2539/84 and (EEC) No 2824/85;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article 5 (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽⁶⁾, as last amended by Regulation (EEC) No 815/91 ⁽⁷⁾;

Whereas, in order to ensure that beef sold is exported, lodging of security, as specified in Article 5 (a) of Regulation (EEC) No 2539/84, should be required;

Whereas it is appropriate to specify that, in view of the prices which have been fixed in the context of this sale in order to permit the disposal of certain cuts, exports of such cuts should not be eligible for the refunds periodically fixed in the beef and veal sector;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88 ⁽⁸⁾, as last amended by Regulation (EEC) No 2363/91 ⁽⁹⁾; whereas the Annex to the said Regulation should be modified;

Whereas Commission Regulation (EEC) No 1786/91 ⁽¹⁰⁾ should be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. A sale shall be organized of approximately:

- 10 000 tonnes of boneless beef held by the Irish intervention agency and bought in before 1 June 1991,
- 5 000 tonnes of boneless beef held by the intervention agency of the United Kingdom and bought in between 15 June 1990 and 1 May 1991,
- 1 000 tonnes of boneless beef held by the Danish intervention agency and bought in before 1 June 1991.

2. This meat shall be for export.

3. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulations (EEC) No 2539/84 and (EEC) No 2824/85.

The provisions of Commission Regulation (EEC) No 985/81 ⁽¹¹⁾ shall not apply to this sale.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 268, 10. 10. 1985, p. 14.

⁽⁶⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁷⁾ OJ No L 83, 3. 4. 1991, p. 6.

⁽⁸⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁹⁾ See page 17 of this Official Journal.

⁽¹⁰⁾ OJ No L 160, 25. 6. 1991, p. 17.

⁽¹¹⁾ OJ No L 99, 10. 4. 1981, p. 38.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 7 August 1991.

6. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II hereto.

Article 2

The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 is ECU 30 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 is ECU 450 per 100 kilograms of boneless beef referred to under (a) in Annex I and ECU 200 per 100 kilograms of boneless beef referred to under (b) in Annex I.

Article 4

In respect of meat referred to under (b) in Annex I and sold under this Regulation no export refund shall be granted.

Article 5

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item 101 and footnote are added:

'101. Commission Regulation No 2364/91 of 2 August 1991 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of boneless beef held by certain intervention agencies and intended for export ⁽¹⁰¹⁾.

⁽¹⁰¹⁾ OJ No L 216, 3. 8. 1991, p. 20.'

Article 6

Regulation (EEC) No 1786/91 is hereby repealed.

Article 7

This Regulation shall enter into force on 7 August 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I —
ALLEGATO I — BIJLAGE I — ANEXO I*

Precio mínimo expresado en ecus por tonelada⁽¹⁾ — Mindstepriser i ECU/ton⁽¹⁾ — Mindestpreise, ausgedrückt in ECU/Tonne⁽¹⁾ — Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu ανά τόνο⁽¹⁾ — Minimum prices expressed in ECU per tonne⁽¹⁾ — Prix minimaux exprimés en écus par tonne⁽¹⁾ — Prezzi minimi espressi in ecu per tonnellata⁽¹⁾ — Minimumprijzen uitgedrukt in ecu per ton⁽¹⁾ — Preço mínimo expresso em ecus por tonelada⁽¹⁾

1. IRELAND

a) Fillets	6 850
Striploins	3 150
Insides	2 450
Outsides	2 400
Knuckles	2 400
Rumps	2 400
Cube-rolls	4 250
b) Briskets	600
Forequarters	1 100
Shins/shanks	1 100
Plates/Flanks	450

2. UNITED KINGDOM

a) Fillets	6 850
Striploins	3 150
Topsides	2 450
Silversides	2 400
Thick flanks	2 400
Rumps	2 400
b) Shins and shanks	1 100
Clod and sticking	1 100
Ponies	1 200
Thin flanks	450
Forequarter flanks	450
Briskets	600
Foreribs	1 300

3. DANMARK

a) Mørbrad med bimørbrad	6 850
Filet med entrecôte og tyndsteg	3 150
Inderlår med kappe	2 450
Tykstegsfilet med kappe	2 400
Klump med kappe	2 400
Yderlår med lårtunge	2 400
b) Bryst og slag	500
Øvrigt kød af forfjerdinger	1 100
Skank og muskel	800

⁽¹⁾ Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

⁽¹⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

⁽¹⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

⁽¹⁾ Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

⁽¹⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

⁽¹⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

⁽¹⁾ Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

⁽¹⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

⁽¹⁾ Estes preços aplicam-se a peso líquido, conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção**

IRELAND: Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 3332
Telex 4280 and 5118

UNITED KINGDOM: Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302, Fax 0734 56 67 50

DANMARK: Direktoratet for Markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
(tlf. 33 92 70 00, telex 151 37 DK, telefax 33 92 69 48)

COMMISSION REGULATION (EEC) No 2365/91

of 31 July 1991

laying down the conditions for use of the ATA carnet for the temporary importation of goods into the customs territory of the Community or their temporary exportation from that territory

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3599/82 of 21 December 1982 on temporary importation arrangements⁽¹⁾, as amended by Regulation (EEC) No 1620/85⁽²⁾, and in particular Article 33 thereof,

Having regard to Council Regulation (EEC) No 754/76 of 25 March 1976 on the customs treatment applicable to goods returned to the customs territory of the Community⁽³⁾, as last amended by Regulation (EEC) No 1147/86⁽⁴⁾, and in particular Article 15 (2) thereof,

Whereas Commission Regulation (EEC) No 1751/84 of 13 June 1984 laying down certain provisions for the application of Council Regulation (EEC) No 3599/82 on temporary importation arrangements⁽⁵⁾, as last amended by Regulation (EEC) No 1516/89⁽⁶⁾, contained provisions relating to the use of the ATA carnet established by virtue of the Customs Convention of 6 December 1961 on the ATA carnet for the temporary admission of goods, hereinafter referred to as the 'ATA Convention';

Whereas removal of the Community's internal frontiers and abolition of formalities related to the crossing of those frontiers mean provisions must be adopted to designate the Community as a single territory for the purposes of applying the rules relating to the ATA carnet; whereas it is accordingly necessary to lay down new rules for use of the ATA carnet for the temporary importation of goods pursuant to Regulation (EEC) No 3599/82;

Whereas the ATA carnet will continue to be issued in the customs territory of the Community as a temporary importation document until 31 December 1992; whereas the requirements governing the use of that document must, in the interests of uniformity, be identical to those laid down in this Regulation; whereas the same procedure must, accordingly, apply to goods in respect of which an ATA carnet has been issued in one Member State, and which are intended to be used in one or more other Member States;

Whereas rules should likewise be laid down to govern use of the ATA carnet for the temporary exportation of goods from the customs territory of the Community and their subsequent re-importation;

Whereas all such rules must be compatible with the ATA Convention, to which all the Community's Member States are Contracting Parties;

Whereas for practical reasons and in the interests of consistency, the conditions for using an ATA carnet to carry out a temporary export operation, from its inception until re-importation of the goods into the customs territory of the Community, should be laid down in the same text as the conditions governing temporary importation of goods into the customs territory of the Community under cover of an ATA carnet;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for Customs Procedures with Economic Impact and the opinion of the Committee on Duty Free Arrangements,

HAS ADOPTED THIS REGULATION:

TITLE I

GENERAL

Article 1

This Regulation lays down the conditions for use of the ATA carnet for the temporary importation of goods into the customs territory of the Community and the temporary exportation of goods from that territory. The ATA carnet may be issued in the Community only for Community goods. The goods which can be temporarily imported on presentation and acceptance of an ATA carnet are listed in the Annex.

Article 2

For the purposes of this Regulation:

- (a) *ATA carnet* means the international customs document for temporary importation established by virtue of the ATA Convention;

⁽¹⁾ OJ No L 376, 31. 12. 1982, p. 1.

⁽²⁾ OJ No L 155, 14. 6. 1985, p. 54.

⁽³⁾ OJ No L 89, 2. 4. 1976, p. 1.

⁽⁴⁾ OJ No L 105, 22. 4. 1986, p. 1.

⁽⁵⁾ OJ No L 171, 29. 6. 1984, p. 1.

⁽⁶⁾ OJ No L 148, 1. 6. 1989, p. 50.

- (b) *Office of entry* means the customs office via which goods accompanied by an ATA carnet enter the customs territory of the Community;
- (c) *Office of temporary importation* means the customs office where goods under cover of an ATA carnet are entered for the temporary importation procedure;
- (d) *Office of re-exportation* means the customs office where goods under cover of an ATA carnet are presented to discharge a temporary import operation;
- (e) *Office of temporary exportation* means the customs office where goods under cover of an ATA carnet are entered for temporary exportation;
- (f) *Office of re-importation* means the customs office where goods under cover of an ATA carnet are presented to discharge a temporary export operation;
- (g) *Office of exit* means the customs office via which goods accompanied by an ATA carnet leave the customs territory of the Community;
- (h) *Office of destination* means the customs office at which the ATA carnet must be presented in order to complete a transit operation carried out under cover of an ATA carnet used as a transit document;
- (i) *Community goods* means goods :
 - wholly obtained or produced in the customs territory of the Community and not incorporating goods imported from countries or territories not forming part of the customs territory of the Community,
 - from countries or territories not forming part of the customs territory of the Community which have been released for free circulation in a Member State,
 - obtained or produced in the customs territory of the Community, either from goods referred to in the second indent alone or from goods referred to in the first and second indents.

TITLE II

USE OF THE ATA CARNET AS A TEMPORARY IMPORTATION DOCUMENT

Chapter I

Presentation of carnet on arrival

Article 3

1. ATA carnets shall be accepted by the customs authorities only if they are :

- (a) issued in a country which is a contracting party to the ATA Convention and endorsed and guaranteed by an association forming part of an international guarantee chain.

The Commission shall publish a list of the countries and associations concerned ;

- (b) certified by the customs authorities in the appropriate section of the cover page, and
- (c) valid throughout the customs territory of the Community.

2. A guarantee furnished in accordance with the ATA Convention shall be accepted as sufficient for the purposes of Article 3 (1) of Council Regulation (EEC) No 3599/82.

Article 4

Upon arrival of the goods in the customs territory of the Community the ATA carnet shall be presented at the office of entry in order to permit use of the temporary importation procedure or to be used for a transit operation in that territory prior to or subsequent to a temporary importation operation carried out under cover of the said carnet.

Chapter II

Authorizing use of the procedure ; entry of goods for temporary importation

Section I

Application and procedure

Article 5

Presentation of the ATA carnet to the office of temporary importation in order to use the temporary importation procedure shall be equivalent to presentation of the application referred to in Article 1 of Commission Regulation (EEC) No 1751/84, and acceptance of the carnet shall be equivalent to authorization.

Section 2

Entry of goods for the procedure

Article 6

1. Goods for which an ATA carnet has been issued shall be entered for the temporary importation procedure on presentation of the carnet at a customs office empowered to deal with temporary importation operations (office of temporary importation) and acceptance of the carnet by the said office.

2. To enter goods for the temporary importation procedure, ATA carnets shall be presented to the following customs offices :

- (a) in the case of the goods listed in points 2 to 9, 11 and 20 of the Annex, an office of temporary importation with competence for the place where the goods are to be used ;
- (b) in other cases, any duly empowered office of entry. In this case the office of entry shall act as the office of temporary importation.

Exceptionally, where the duly empowered office of entry is unable to check the fulfillment of all conditions to which the use of the temporary importation procedure are subject, it shall permit the goods to be carried to the office of destination able to carry out such checks under cover of the ATA carnet used as a transit document, in accordance with the procedure referred to in Article 14.

3. The customs authorities of the Member States shall empower customs offices to act as offices of temporary importation or offices of entry acting as offices of temporary importation.

The said authorities shall send the Commission lists of the offices empowered in accordance with the preceding subparagraph and of the duly empowered offices referred to in Article 9 (1). The lists shall be published in the C series of the *Official Journal of the European Communities*.

Article 7

When goods are entered for the temporary importation procedure, the office of temporary importation shall proceed as follows :

- (a) verify the information given in boxes A to G of the importation voucher ;
- (b) complete the counterfoil and box H of the importation voucher ; the final date for re-exportation of the goods, to be entered in box H (b), must not be later than the date on which the carnet's validity expires without prejudice to the special periods specified in Article 4 (1) of Regulation (EEC) No 3599/82 ;
- (c) enter the name and address of the office of temporary importation in box H (e) of the re-exportation voucher ;
- (d) retain the importation voucher.

Chapter III

Use of the temporary importation procedure for goods to be used in a succession of places in the Community

Article 8

Where the goods referred to in Article 6 (2) (a) are to be used in more than one place in the Community, the places and Member States where the goods are to be used shall be entered at point 4 of the importation counterfoil and in box H (d) of the importation voucher. In this case the ATA carnet shall be presented for the purposes of the temporary importation procedure at the office of temporary importation competent for the first place where the goods are to be used. Entry of the goods for the temporary importation procedure at such office shall enable them to be used under the procedure at the other places indicated on the abovementioned counterfoil and voucher.

Chapter IV

Discharge of the procedure

Article 9

1. In order to discharge the temporary importation procedure by re-exportation from the customs territory of the Community, the office of re-exportation authorized by the customs authorities of the Member States shall carry out the following formalities :

- (a) complete the counterfoil and box H of the re-exportation sheet ;
- (b) retain the re-exportation voucher and return it without delay to the office of temporary importation.

2. Where the formalities required to discharge the temporary importation procedure are carried out at an office of re-exportation other than the office of exit, the goods may be carried between those two offices under cover of an ATA carnet used as a transit document, in accordance with the procedure referred to in Article 14.

Article 10

In order to discharge the temporary importation procedure by assignment of the goods to one of the customs-approved treatments referred to in Articles 28 and 29 of Regulation (EEC) No 3599/82 other than re-exportation as referred to in Article 9, and without prejudice to the formalities required for such assignment, the ATA carnet shall be presented to the office competent to enter the goods for the procedure concerned. The said office shall carry out the formalities prescribed in Article 9 (1).

Chapter V

Other provisions concerning temporary importation of goods under cover of an ATA carnet

Article 11

Without prejudice to the provisions of Article 12 or to use of the ATA carnet for a transit operation in accordance with Article 14, movement within the customs territory of the Community of goods entered for the temporary importation procedure under cover of the carnet shall require no further customs formality until those required for discharge of the arrangements in accordance with Article 9.

Article 12

Where use of the temporary importation procedure in more than one place in the Community involves crossing the territory of a third country, the formalities for discharge of the procedure or entry of the goods for the procedure shall be carried out, respectively, at the points where the goods leave and re-enter the customs territory of the Community.

Chapter VI

Offences and irregularities

Article 13

1. If an offence or irregularity is found to have been committed in a specific Member State in the course of or in connection with a temporary import operation under cover of an ATA carnet, the duties and other Community or national charges which may be payable shall be recovered by that Member State in accordance with the ATA Convention. The said Member State shall inform the office of temporary importation, which may be situated in another Member State, of the initiation of recovery proceedings and the result.

2. If it is not possible to determine where the offence or irregularity was committed, such offence or irregularity shall be deemed to have been committed in the Member State where it was detected unless proof is furnished to the satisfaction of the competent authorities, in accordance with Articles 5 to 8 of the ATA Convention, of the regularity of the temporary importation operation or of the place where the offence or irregularity was actually committed.

Where no such proof is furnished and the offence or irregularity is thus deemed to have been committed in the Member State where it was detected that Member State shall initiate the recovery procedure laid down in paragraph 1.

Where the Member State in which the said offence or irregularity was actually committed is subsequently deter-

mined, the duties and other charges, excluding those levied by way of the Community's own resources, to which the goods are subject in that Member State shall be refunded by the Member State which initially recovered them. In that case, any overpayment shall be repaid to the person who initially paid the charges.

Where the amount of duties and other charges initially levied and refunded by the Member State which recovered them is less than the amount of duties and other charges payable in the Member State in which the offence or irregularity was actually committed, that Member State shall levy the difference in accordance with Community or national law.

Member States shall take such measures as are necessary to combat all offences or irregularities and to impose effective penalties in respect thereof.

TITLE III

USE OF THE ATA CARNET AS A TRANSIT DOCUMENT

Article 14

1. Where an ATA carnet is presented to an office of entry for a transit operation, in accordance with Article 4, the goods may be conveyed from the said office of entry to the office of temporary importation, which in this case shall also be the office of destination, under cover of the ATA carnet used as a transit document, in accordance with Council Regulation (EEC) No 719/91 ⁽¹⁾.

TITLE IV

USE OF THE ATA CARNET AS A TEMPORARY EXPORT DOCUMENT

Chapter I

Presentation of carnet

Article 15

For the purposes of this Title, ATA carnets shall be accepted by the customs authorities only if they are:

- (a) issued in a Member State of the Community and endorsed and guaranteed by an association established in the Community forming part of an international guarantee chain.

The Commission shall publish a list of the associations concerned;

⁽¹⁾ OJ No L 78, 26. 3. 1991, p. 6.

(b) applicable to goods :

- which have not been subject on export from the customs territory of the Community to customs export formalities with a view to the payment of refunds or other export amounts under the common agricultural policy, or
- in respect of which no other financial benefit has been granted under the common agricultural policy, coupled with an obligation to export the said goods, or
- in respect of which no request for repayment has been submitted.

Chapter II

Authorization and entry of goods for temporary exportation

Section 1

Application and authorization

Article 16

1. ATA carnets issued in the Community in conformity with Article 15 may be used for temporary exportation from the customs territory of the Community instead of an export declaration.
2. Presentation of the ATA carnet to a duly empowered customs office for a temporary export operation shall be equivalent to presentation of an application for temporary exportation, and acceptance of the carnet shall be equivalent to authorization.
3. Use of an ATA carnet instead of an export declaration shall not absolve the person concerned from the obligation to produce any other documents required to carry out the temporary export operation, in particular for goods the exportation of which is subject to an authorization.

Section II

Entry of goods for temporary exportation

Article 17

1. When goods under cover of an ATA carnet are entered for temporary exportation, the office of temporary exportation shall carry out the following formalities :
 - (a) verify the information given in boxes A to G of the exportation voucher against the goods under cover of the carnet ;

- (b) if necessary, complete the box on the cover page of the carnet headed 'Certificate by Customs Authorities' ;
 - (c) complete the counterfoil and box H of the exportation voucher ;
 - (d) enter the name of the office of temporary exportation in box H (b) of the re-importation voucher, and
 - (e) retain the exportation voucher.

2. Where the office of temporary exportation is not the office of exit, it shall carry out the formalities prescribed in paragraph 1, but shall not complete box 7 of the exportation counterfoil, which must be completed at the office of exit.

Article 18

The final date for re-importation of the goods entered by the competent authorities in box H (b) of the exportation voucher shall be not later than the date on which the carnet's validity expires.

Chapter III

Discharge of the temporary export operation

Article 19

1. ATA carnets issued in the Community in conformity with Article 15 may be used for re-importation of goods into the customs territory of the Community instead of an import declaration.
2. When discharging temporary exportation in respect of the goods, the office of re-importation shall carry out the following formalities :
 - (a) verify the information given in boxes A to G of the re-importation voucher ;
 - (b) complete the counterfoil and box H of the re-importation sheet ;
 - (c) retain the re-importation voucher.

3. Where the formalities discharging a temporary export operation in respect of Community goods are carried out at an office of re-importation other than the office of entry, conveyance of the goods from the office of entry to the said office of re-importation shall require no formality.

Article 20

1. Goods under cover of an ATA carnet issued in the Community shall be treated on re-importation into the customs territory of the Community as prescribed by Regulation (EEC) No 754/76.

2. Presentation of the ATA carnet on re-importation of goods shall replace production of an export document or information sheet (INF 3) pursuant to Article 6 (1) (a) or 6 (1) (b) of Commission Regulation (EEC) No 2945/76 ⁽¹⁾.

The requirement to produce evidence pursuant to Article 6 (2) of the abovementioned Regulation shall continue to apply where an ATA carnet is presented.

TITLE V

TRANSITIONAL PROVISIONS

Article 21

1. Until 31 December 1992: the provisions of Title II shall apply, *mutatis mutandis*, to goods covered by an ATA carnet issued in a Member State and used as a temporary importation document in one or more other Member States.

The formalities for discharge of the temporary importation procedure shall be carried out in the last Member State in which the goods covered by the ATA carnet are used. The goods may be carried from the Member State where the ATA carnet was issued to the first Member State in which they are used, and from the last Member State in which they are used to the Member State where the ATA carnet was issued, in accordance with Council Regulation (EEC) No 719/91.

2. Where goods fulfilling the conditions laid down in Article 15 of this Regulation are exported from the customs territory of the Community in accordance with Title IV, they may, if necessary, be conveyed from the office of temporary exportation to the office of exit, which in this case shall also be the office of destination, under cover of an ATA carnet used as a transit document, in accordance with Regulation (EEC) No 719/91. That Regulation shall also apply to the said goods if, on re-importation into the customs territory of the Community, they are conveyed from the office of entry to the office of re-importation, which in this case shall also be the office of destination.

TITLE VI

FINAL PROVISIONS

Article 22

Article 12 (2) and (3) and Article 14 (2) of Regulation (EEC) No 1751/84 are hereby repealed.

Article 23

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1992.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 July 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 335, 4. 12. 1976, p. 1.

ANNEX

List of goods referred to in the second paragraph of Article 1

1. Professional equipment
(Article 7 of Regulation (EEC) No 3599/82).
2. Goods for display or use at an exhibition, fair, symposium or similar event
(Article 9 of Regulation (EEC) No 3599/82).
3. Teaching aids
(Article 10 of Regulation (EEC) No 3599/82).
4. Scientific equipment
(Article 11 of Regulation (EEC) No 3599/82).
5. Medical, surgical and laboratory equipment
(Article 12 of Regulation (EEC) No 3599/82).
6. Materials for use in countering the effects of disasters
(Article 13 of Regulation (EEC) No 3599/82).
7. Packings in respect of which a written declaration may be required
(Article 14 of Regulation (EEC) No 3599/82).
8. Goods of any kind which are to be subjected to tests, experiments or demonstrations, including the tests and experiments required for type-approval procedures, but excluding any tests, experiments or demonstrations constituting a gainful activity
(Article 15 (c) of Regulation (EEC) No 3599/82).
9. Goods of any kind to be used to carry out tests, experiments or demonstrations, but excluding any tests, experiments or demonstrations constituting a gainful activity
(Article 15 (d) of Regulation (EEC) No 3599/82).
10. Samples which are representative of the particular category of goods and which are intended for demonstration purposes with a view to obtaining orders for similar goods
(Article 15 (e) of Regulation (EEC) No 3599/82).
11. Works of art imported for the purposes of exhibition, with a view to possible sale
(Article 16 (c) of Regulation (EEC) No 3599/82).
12. Replacement means of production made temporarily available free of charge to the importer on the initiative of the supplier of similar means of production to be subsequently imported for release into free circulation or of means of production re-installed after repair.
(Article 17 of Regulation (EEC) No 3599/82).
13. Positive cinematograph films, printed and developed, intended for projection prior to commercial use
(Article 18 (a) of Regulation (EEC) No 3599/82).
14. Films, magnetic tapes and wires which are intended to be provided with a soundtrack, dubbed or copied
(Article 18 (b) of Regulation (EEC) No 3599/82).
15. Films demonstrating the nature of products or the operation of foreign equipment, provided that they are not intended for public showing for charge
(Article 18 (c) of Regulation (EEC) No 3599/82).

16. Carrier material for recorded sound and data-processing, including punched cards, made available free of charge to a person whether or not established in the customs territory of the Community
(Article 18 (d) of Regulation (EEC) No 3599/82).
 17. Live animals of any species imported for dressage, training or breeding purposes or in order to be given veterinary treatment
(Article 20 (a) of Regulation (EEC) No 3599/82).
 18. Tourist publicity material
(Article 20 (d) of Regulation (EEC) No 3599/82).
 19. Welfare material for seafarers
(Article 21 of Regulation (EEC) No 3599/82).
 20. Various equipment used, under the supervision and responsibility of a public authority, for the building, repair or maintenance of infrastructure of general importance in border zones
(Article 22 of Regulation (EEC) No 3599/82).
-

COMMISSION REGULATION (EEC) No 2366/91

of 2 August 1991

concerning the stopping of fishing for cod by vessels flying the flag of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as last amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3934/90 of 20 December 1990 fixing catch possibilities for 1991 for certain fish stocks and groups of fish stocks in the Regulatory Area as defined in the NAFO Convention ⁽³⁾, provides for cod quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of NAFO

zone 2J + 3KL by vessels flying the flag of Spain or registered in Spain have reached the quota allocated for 1991,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of NAFO zone 2J + 3KL by vessels flying the flag of Spain or registered in Spain are deemed to have exhausted the quota allocated to Spain for 1991.

Fishing for cod in the waters of NAFO zone 2J + 3KL by vessels flying the flag of Spain or registered in Spain is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Jean DONDELINGER

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 378, 31. 12. 1990, p. 69.

COMMISSION REGULATION (EEC) No 2367/91

of 2 August 1991

amending Regulations (EEC) No 1147/91, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1154/91, (EEC) No 1201/91, (EEC) No 1202/91, (EEC) No 1203/91, (EEC) No 1204/91 and (EEC) No 1205/91 opening standing invitations to tender for the export of cereals held by the intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 7 (6) thereof,

Having regard to Council Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 2619/90⁽⁴⁾,

Whereas the last partial invitation to tender under Commission Regulation (EEC) No 1147/91⁽⁵⁾, (EEC) No 1148/91⁽⁶⁾, (EEC) No 1149/91⁽⁷⁾, (EEC) No 1150/91⁽⁸⁾, (EEC) No 1154/91⁽⁹⁾, (EEC) No 1201/91⁽¹⁰⁾, (EEC) No 1202/91⁽¹¹⁾, (EEC) No 1203/91⁽¹²⁾, (EEC) No 1204/91⁽¹³⁾ and (EEC) No 1205/91⁽¹⁴⁾, should be postponed; whereas, in view of allowing the execution of exports, both the period to complete customs export formalities and the closing date for the validity of export licences should be amended;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 (1) of Regulations (EEC) No 1147/91, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁴⁾ OJ No L 249, 12. 9. 1990, p. 8.
⁽⁵⁾ OJ No L 112, 4. 5. 1991, p. 30.
⁽⁶⁾ OJ No L 112, 4. 5. 1991, p. 33.
⁽⁷⁾ OJ No L 112, 4. 5. 1991, p. 36.
⁽⁸⁾ OJ No L 112, 4. 5. 1991, p. 39.
⁽⁹⁾ OJ No L 112, 4. 5. 1991, p. 51.
⁽¹⁰⁾ OJ No L 116, 9. 5. 1991, p. 16.
⁽¹¹⁾ OJ No L 116, 9. 5. 1991, p. 19.
⁽¹²⁾ OJ No L 116, 9. 5. 1991, p. 22.
⁽¹³⁾ OJ No L 116, 9. 5. 1991, p. 25.
⁽¹⁴⁾ OJ No L 116, 9. 5. 1991, p. 28.

(EEC) No 1154/91, (EEC) No 1201/91, (EEC) No 1202/91, (EEC) No 1203/91, (EEC) No 1204/91 and (EEC) No 1205/91 the second sentence is deleted.

Article 2

Article 3 of Regulations (EEC) No 1147/91, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1154/91, (EEC) No 1201/91, (EEC) No 1202/91, (EEC) No 1203/91, (EEC) No 1204/91 and (EEC) No 1205/91 is replaced by the following:

Article 3

1. The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until the end of the third month following.
2. Tenders submitted in response to this invitation to tender may not be accompanied by applications for export licences pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁷⁾.

Article 3

Article 4 (3) of Regulations (EEC) No 1147/91, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1154/91, (EEC) No 1201/91, (EEC) No 1202/91, (EEC) No 1203/91, (EEC) No 1204/91 and (EEC) No 1205/91 is replaced by the following:

3. The last partial invitation to tender shall expire on 25 September 1991 at 1 p.m. (Brussels time).

Article 4

Articles 5 and 6 of Regulations (EEC) No 1147/91, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1154/91, (EEC) No 1201/91, (EEC) No 1202/91, (EEC) No 1203/91, (EEC) No 1204/91 and (EEC) No 1205/91 are hereby deleted.

Article 5

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2368/91

of 2 August 1991

amending Regulation (EEC) No 3310/86 on the Community recording of market prices on the basis of the scale for the classification of carcasses of adult bovine animals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1892/87 of 2 July 1987 on the recording of market prices in the beef and veal sector ⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3310/86 of 30 October 1986 on the Community recording of market prices on the basis of the scale for the classification of carcasses of adult bovine animals ⁽²⁾, as amended by Regulation (EEC) No 1162/89 ⁽³⁾, lays down the criteria and procedure for recording market prices in the beef and veal sector;

Whereas, in order to guarantee that price recording operations proceed smoothly, the internal price transmission procedures should commence at the same time in all Member States;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

Article 1

The following subparagraph is hereby added to Article 2 (2) of Regulation (EEC) No 3310/86:

'Member States shall commence internal transmission of price recording information to central authorities at 2 p.m. on Tuesday at the earliest.'

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 182, 3. 7. 1987, p. 29.

⁽²⁾ OJ No L 305, 31. 10. 1986, p. 28.

⁽³⁾ OJ No L 121, 29. 4. 1989, p. 1.

COMMISSION REGULATION (EEC) No 2369/91

of 2 August 1991

amending Regulation (EEC) No 859/89 laying down detailed rules for the application of intervention measures in the beef and veal sector and Regulation (EEC) No 1688/91 derogating from the provisions on the deadline for the submission of tenders laid down in Regulation (EEC) No 859/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 6 (8) thereof,

Whereas Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 1792/91 ⁽⁴⁾, provided for general intervention provisions; whereas, with a view to simplifying management of the intervention scheme, the deadline for submission of tenders should be brought forward by one day; whereas, as a consequence, the deadline for the delivery of the products should be adapted as well as Commission Regulation (EEC) No 1688/91 of 17 June 1991 derogating from the provisions on the deadline for the submission of tenders laid down in Regulation (EEC) No 859/89 ⁽⁵⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. Regulation (EEC) No 859/89 is hereby amended as follows:

- (a) in Article 8, 'Wednesday' is replaced by 'Tuesday';
- (b) in Article 13 (2), '16' is replaced by '17'.

2. Article 1 of Regulation (EEC) No 1688/91 is hereby amended as follows: 'Wednesday' is replaced by 'Tuesday'.

Article 2

This Regulation shall enter into force on 6 August 1991.

It shall apply with effect from the first invitation to tender in August.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 160, 25. 6. 1991, p. 31.

⁽⁵⁾ OJ No L 156, 20. 6. 1991, p. 5.

COMMISSION REGULATION (EEC) No 2370/91

of 2 August 1991

fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 1724/91 ⁽²⁾, and in particular Article 2 (7) thereof,

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 1885/91 ⁽³⁾, as last amended by Regulation (EEC) No 2314/91 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1885/91 to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

Article 1

1. The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 shall be as set out in the Annex hereto.

2. However, the amount of the aid for the 1991/92 marketing year for soya seed shall be confirmed or replaced with effect from 3 August 1991 to take account of the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 3 August 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 2 August 1991 fixing the aid for soya beans

(ECU/100 kg)

	Current period 8	First period 9 ⁽¹⁾	Second period 10 ⁽¹⁾	Third period 11 ⁽¹⁾	Fourth period 12 ⁽¹⁾	Fifth period 1 ⁽¹⁾
Seed harvested:						
— Spain	14,807	15,567	15,474	15,419	15,493	15,084
— another Member State	20,351	19,381	19,288	19,233	19,307	18,898

⁽¹⁾ Amount fixed provisionally, pending and subject to the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming to the adjustment resulting from the maximum guaranteed quantity arrangements applied for the 1990/91 marketing year.

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 35.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 86.

⁽⁴⁾ OJ No L 213, 1. 8. 1991, p. 40.

COMMISSION REGULATION (EEC) No 2371/91

of 2 August 1991

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1849/91 ⁽³⁾, as last amended by Regulation (EEC) No 2355/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1849/91 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 1 August 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 August 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 5. 7. 1991, p. 14.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 16.

⁽⁴⁾ OJ No L 214, 2. 8. 1991, p. 67.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 2 August 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,89 ⁽¹⁾
1701 11 90	32,89 ⁽¹⁾
1701 12 10	32,89 ⁽¹⁾
1701 12 90	32,89 ⁽¹⁾
1701 91 00	38,81
1701 99 10	38,81
1701 99 90	38,81 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 3610/90 of 11 December 1990 opening and providing for the administration of Community tariff quotas for certain agricultural, chemical and industrial products (1991)

(Official Journal of the European Communities No L 351 of 15 December 1990)

On page 2 in the table in Article 1 in the 'Description' column against Order No 09.2727, delete :
'... for the manufacture of lubricating oil'.

Corrigendum to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries

(Official Journal of the European Communities No L 370 of 31 December 1990)

On page 73 in Annex I against Order No 40.1090 in column 5:

for: '... excluding Hong Kong',

read: '... excluding Hong Kong and South Korea'.

Corrigendum to Commission Regulation (EEC) No 2263/91 of 26 July 1991 laying down detailed rules of the application of Council Regulation (EEC) No 598/91 as regards the supply of whole-milk powder intended for the people of the Soviet Union

(Official Journal of the European Communities No L 208 of 30 July 1991)

On page 13, paragraph 1 of Article 2:

for: '1. The tendering procedure shall be as follows:

Written tenders shall be lodged with one of the intervention agencies listed in Annex IV against a receipt or forwarded by registered post to arrive by 12 noon on 29 July 1991. Tenders may also be submitted by written telecommunication.'

read: '1. The tendridng procedure shall be as follows:

Written tenders shall be lodged with one of the intervention agencies listed in Annex IV against a receipt or forwarded by registered post to arrive by 12 noon on 31 July 1991. Tenders may also be submitted by written telecommunication.';

point (f) of paragraph 3:

for: '(f) they are accompanied by proof that the tenderer has lodged a tendering security of ECU 20 per tonne in favour of the intervention agency concerned, in accordance with Title III of Regulation (EEC) No 2220/86. Such proof shall consist of a document issued by the body granting the security.'

read: '(f) they are accompanied by proof that the tenderer has lodged a tendering security of ECU 20 per tonne in favour of the intervention agency concerned, in accordance with Title III of Regulation (EEC) No 2220/85. Such proof shall consist of a document issued by the body granting the security.'
